

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

IN RE:

TERRY ADAMS

CASE NO.: 18-12476-JDW

DEBTOR

CHAPTER 13

**FIRST SUPPLEMENTAL MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT**

COMES NOW, Debtor, by and through Special Counsel D. Reid Wamble (collectively referred to as "Special Counsel"), and pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure files this First Supplemental Motion for Approval of Compromise and Settlement and in support thereof states as follows:

1. On or about December 3, 2015, Terry Adams (the "Debtor") was involved in a motor vehicle collision which resulted in damages and personal injuries. A lawsuit was filed by the Debtor against Mary Patterson and American Insurance Company.
2. Special Counsel has agreed to the proposed attorney compensation on contingency basis of 40% (\$6,960.00) total reimbursement of any amount recovered, plus expenses, in pursuing the case against Mary Patterson and American Insurance Company in the amount of \$3,262.38. However, Special Counsel understands that actual compensation and reimbursement must be approved by this Court through separate application and order.

3. A compromise and settlement of the lawsuit has been reached, whereby the Defendant has agreed to pay to the Debtor the sum of \$17,400.00 in full and complete settlement of said claim and cause of action.

4. Based upon the uncertainty and the nature of the Debtor's claim, Special Counsel for Debtor advises that the settlement amount is reasonable and in the best interest of the Debtor and the bankruptcy estate.

5. The parties hereto request that this Court approve the settlement arising out of the motor vehicle collision in the amount of \$17,400.00.

6. Upon approval of this application, all settlement proceeds of \$17,400.00 are to be disbursed as follows:

The Law Office of D. Reid Wamble, attorney compensation: \$6,960.00

The Law Office of D. Reid Wamble, expense reimbursement: \$3,262.38

| | | |
|---|----|----------|
| 1/3 Marshall County Circuit Court Clerk | \$ | 53.33 |
| 1/3 Travel Expenses | \$ | 114.67 |
| 1/3 Holly Springs Police Department | \$ | 4.00 |
| 1/3 Mississippi Department of Insurance | \$ | 8.33 |
| 1/3 Metro Process Service | \$ | 15.00 |
| 1/3 Advanced Court Reporting | \$ | 224.55 |
| 1/3 4,048 Copies, Scans and Prints @ \$.25 Per Page | \$ | 337.33 |
| 1/3 File/Trial Supplies | \$ | 50.00 |
| 1/3 Legal Research | \$ | 42.00 |
| 1/3 Postage/Shipping | \$ | 49.59 |
| 1/3 Communication Expenses | \$ | 33.33 |
| 1/3 PPS&I Process Service | \$ | 47.80 |
| ½ Dr. William Smith, M.D. | \$ | 800.00 |
| ½ Alpha Court Reporting | \$ | 628.47 |
| ½ MRI Productions, Inc. | \$ | 631.98 |
| Healthport (Medical Records) | \$ | 197.00 |
| Alliance Healthcare (Medical Records) | \$ | 25.00 |
| TOTAL EXPENSES | \$ | 3,262.38 |

Flexworx (Payment in Full for Medical Lien) \$ 529.20

Progressive Rehab (Payment in Full for Medical Lien) \$ 1,927.80

Trustee and bankruptcy estate: \$ 4,720.62

7. In addition to the approval of this application, the parties hereto request that this Court approve the distribution of funds as provided for above. From the funds received by Trustee, timely filed and allowed general unsecured claims should be paid a pro-rata distribution. Trustee should be allowed her statutory compensation.

8. Upon final approval of the compromise and settlement, the Settlement Proceeds shall be disbursed pursuant to order of this Court.

WHEREFORE, PREMISES CONSIDERED, Debtor, by and through Special Counsel D. Reid Wamble, prays that upon notice and hearing that this Court enter its order approving this application and for such other relief to which the parties hereto and this bankruptcy estate may be entitled.

Respectfully submitted this the 12th day of November 2019

BY: /s/D. Reid Wamble

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